

Response Under 37 CFR §1.111
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 09/696,116 Confirmation No. 4406
Applicant : Richard H. Boivie
Filed : October 25, 2000
TC/A.U. : 2142
Examiner : Hieu Le
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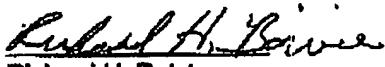
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37 C.F.R. 1.131 DECLARATION

I, the undersigned, inventor of the above-referenced patent application, hereby declare the following:

- 1) The pending claims of my above-identified patent application were rejected under 35 U.S.C. §102(a) & (f) based on the cited publication of Boivie et al. (IEEE Internet Computing publication, Small Group Multicast: A New Solution for Multicasting on the Internet) with a publication date of May-June 2000, (hereinafter referred to as "IEEE Publication").
- 2) I was the principal author of the cited IEEE Publication. The invention described in the above referenced patent application was reduced to a writing and signed by the undersigned applicant prior to the May-June 2000 date of the IEEE Publication, and further prior to my earliest date of contribution to, and co-authorship of, the IEEE Publication. I am the first and sole inventor of the above referenced patent application. In particular, the relevant portion of my invention disclosure upon which the above referenced patent application was based is attached herewith.

I, the undersigned, declare all of the above statements are made on my own knowledge, the above statements are true and correct, and the above statements are made on information that I believe to be true. I understand that false statements or concealment in obtaining a patent will subject me to fine and/or imprisonment or both (18 U.S.C. §1001) and may jeopardize the validity of the above identified patent application or any application issuing therefrom.


Richard H. Boivie

September 22 2004

** TOTAL PAGE.02 **